



April 1, 2003

ENGROSSED SENATE BILL No. 446

DIGEST OF SB 446 (Updated March 31, 2003 2:57 PM - DI 96)

Citations Affected: IC 9-13; IC 9-20; IC 9-21; IC 9-29.

Synopsis: Manufactured and mobile home rig transport. Makes certain changes in the dimensions contained within the definition of special tractor-mobile home rigs, tractor-mobile home rigs, and extra wide manufactured home rigs. Makes a change in the hours on Saturday that special tractor-mobile home rigs and tractor-mobile home rigs may be operated. Authorizes certain oversized vehicles to be operated at a speed no greater than fifty-five miles per hour. Allows quarterly and annual permits for moving tractor-mobile home rigs and special tractor-mobile home rigs.

Effective: July 1, 2003.

Meeks R, Zakas, Craycraft

(HOUSE SPONSORS — FRY, NEESE)

January 21, 2003, read first time and referred to Committee on Transportation and Homeland Security.

February 11, 2003, amended, reported favorably — Do Pass.

February 17, 2003, read second time, ordered engrossed. Engrossed.

February 18, 2003, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 13, 2003, read first time and referred to Committee on Roads and Transportation.

March 31, 2003, amended, reported — Do Pass.

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ES 446—LS 7821/DI 96+



April 1, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED SENATE BILL No. 446

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-171 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 171. "Special
3 tractor-mobile home rig" means any combination of a mobile home or
4 sectionalized building and a towing vehicle having a width greater than
5 one hundred forty-eight (148) inches and not greater than one hundred
6 seventy-two (172) inches at the base and:
7 (1) of which the mobile home, including the hitch, is not more
8 than ~~eighty (80)~~ **eighty-five (85)** feet and the tractor part is not
9 less than twelve (12) feet in length;
10 (2) a height not in excess of fourteen (14) feet, six (6) inches; or
11 (3) both of the dimensions in subdivisions (1) and (2).
12 SECTION 2. IC 9-13-2-181 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 181. "Tractor-mobile
14 home rig" means a combination of a mobile home or sectionalized
15 building and a towing vehicle having either a combined overall length
16 of more than sixty (60) feet and not more than ~~eighty-five (85)~~ **one**
17 **hundred ten (110)** feet of which:

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(1) the mobile home, including the hitch, is not more than ~~seventy~~
~~(70)~~ **eighty-five (85)** feet; and

(2) the tractor part:

(A) is not less than twelve (12) feet in length;

(B) has a width of more than ninety-six (96) inches and not
more than one hundred forty-eight (148) inches at the base;

(C) has a height of not more than ~~thirteen (13)~~ **fourteen (14)**
feet; ~~six (6) inches~~; or

(D) has at least two (2) of the dimensions in clauses (A)
through (C).

SECTION 3. IC 9-20-14-2 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The Indiana
department of transportation or any agency or political subdivision of
the state designated by the Indiana Department of Transportation shall
grant a permit to operate a tractor-mobile home rig on an Indiana
highway to a person upon the following conditions and upon the rules
that the Indiana Department of Transportation prescribes:

(1) The tractor-mobile home rig must be operated in a manner
that will not impede traffic or increase the hazard to traffic.

(2) The tractor-mobile home rig may be operated only on days
other than Sunday and the legal holidays that the Indiana
department of transportation prescribes. The tractor-mobile home
rig may be operated between one-half (1/2) hour before sunrise
and one-half (1/2) hour after sunset on any weekday **and**
Saturday. and between one-half (1/2) hour before sunrise and
noon on Saturday.

(3) The tractor-mobile home rig may be operated only over the
roads or highways in the state highway system, including, except
to the extent provided in section 5 of this chapter, the routes
designated as federal highways and the state maintained routes
through cities and towns. The tractor-mobile home rig may not
extend past the center line of those roads and highways.

(4) The person to whom the permit is granted shall present
satisfactory evidence of the person's financial responsibility, as
provided in IC 9-25, to the granting authority.

(5) If in use as a towing vehicle component of a tractor-mobile
home rig, the towing vehicle for which the permit is granted must
have a wheelbase of not less than one hundred twenty (120)
inches.

(6) A permit granted for the towing vehicle component of a
tractor-mobile home rig may be suspended or revoked by the
Indiana department of transportation for violation of any of the

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conditions of the permit set forth in this section.

(7) The towing vehicle may be operated only over the roads or highways approved by the authority granting the permits.

(b) Except as provided in section 5 of this chapter, this section does not prevent a local authority with respect to highways and roads under the authority's jurisdiction from granting permission to operate a tractor-mobile home rig on roads and highways under the authority's jurisdiction that are not highways in the state highway system or state maintained routes through cities and towns.

SECTION 4. IC 9-20-14-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 6. (a) This section applies to a person who purchases a quarterly or an annual permit under IC 9-29-6-7 to move a tractor-mobile home rig.**

(b) A person described in subsection (a) shall use only the permissible routes for moving a tractor-mobile home rig. The person must check the daily detour and restriction bulletin before choosing a route to travel. If the person moves a tractor-mobile home rig on a route that is restricted or prohibited, the person's quarterly or annual permit may be revoked.

(c) If a person's quarterly or annual permit is revoked under subsection (b), the person may not obtain a new quarterly or annual permit for a period of ninety (90) days. The person may move a tractor-mobile home rig under a single trip permit until the person is eligible to obtain a new quarterly or annual permit.

SECTION 5. IC 9-20-15-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 2. (a) The Indiana department of transportation may grant a permit to operate a special tractor-mobile home rig on an Indiana highway to a person upon the following conditions and in accordance with the rules that the department prescribes:**

(1) The special tractor-mobile home rig must be operated in a manner that will not unduly impede traffic or increase the hazard to traffic.

(2) The special tractor-mobile home rig may be operated only over the highways in the state highway system, including, except as provided in section 5 of this chapter, the routes designated as federal highways and the state maintained routes through cities and towns. However, the special tractor-mobile home rig may not extend over the lines delineating highway lanes into another lane except when passing.

(3) The special tractor-mobile home rig may be operated on the

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roads and highways only after sunrise and before sunset. However, the Indiana Department of Transportation may restrict hours of operation in first and second class cities if the department determines that rush hour traffic would cause an undue hazard to the motoring public.

(4) The special tractor-mobile home rig may be operated only on days other than Sunday and the legal holidays that the Indiana Department of Transportation designates. The special tractor-mobile home rig may be operated between one-half (1/2) hour before sunrise and one-half (1/2) hour after sunset on any weekday **and Saturday.** ~~and between one-half (1/2) hour before sunrise and noon on Saturday.~~

(5) The special tractor-mobile home rig may be accompanied by a distinctively marked escort vehicle.

(6) The operator of the special tractor-mobile home rig must be at least eighteen (18) years of age.

(7) The low beam headlights of the towing vehicle for which the permit is granted must be on while the vehicle is in use as a towing vehicle component of a special tractor-mobile home rig.

(8) The special tractor-mobile home rig may not be operated closer than one thousand (1,000) feet to any other special tractor-mobile home rig traveling in the same direction.

(9) Whenever there may be a clear roadway ahead of the special tractor-mobile home rig and more than three (3) vehicles immediately behind the tractor-mobile home rig, the operator of a special tractor-mobile home rig shall pull over to the right of the traveled portion of the road or highway at the first opportunity to do so safely, so as to allow following vehicles to pass.

(10) The special tractor-mobile home rig may not be operated at a speed in excess of ~~forty-five (45)~~ **fifty-five (55)** miles per hour on roads and highways, other than divided highways of at least four (4) lanes, except as otherwise provided by law.

(11) The special tractor-mobile home rig may not be operated as follows:

(A) During the existence of hazardous weather conditions causing visibility to be less than five hundred (500) feet.

(B) During times when the steady wind velocity exceeds twenty-five (25) miles per hour.

(C) At other times and under other conditions that the Indiana Department of Transportation by rule or emergency notice prescribes.

(12) The person to whom the permit is granted shall present

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satisfactory evidence of the person's financial responsibility as provided in IC 9-25 to the granting authority.

(13) When in use as a towing vehicle component of a special tractor-mobile home rig, the towing vehicle for which the permit is granted must have an overall length of not less than twelve (12) feet.

(14) A permit granted for the towing vehicle component of a special tractor-mobile home rig may be suspended or revoked by the Indiana Department of Transportation for violation of any of the conditions of the permit set forth in this section or for violation of a rule or notice as provided for in this chapter.

(15) The special tractor-mobile home rig may be operated only over roads or highways approved by the authority granting the permits.

(16) The rules pertaining to special tractor-mobile home rigs do not apply to other vehicles.

(b) This section may not be construed to prevent a local authority with respect to highways and roads under the authority's jurisdiction from granting permission to operate a special tractor-mobile home rig on roads and highways under the authority's jurisdiction that are not highways in the state highway system or state maintained routes through cities and towns.

SECTION 6. IC 9-20-15-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) As used in this section, "extra wide manufactured home rig" means any combination of a manufactured home or sectionalized building and a towing vehicle having all of the following dimensions:

(1) Some part of the combination with a width greater than one hundred seventy-two (172) inches but not greater than one hundred ninety-two (192) inches.

(2) The:

(A) manufactured home part of the combination, including the hitch; or

(B) sectionalized building part of the combination, including the hitch;

with a length that does not exceed ~~eighty (80)~~ **eighty-five (85)** feet.

(3) The tractor part of the combination with a length not less than twelve (12) feet.

(4) None of the combination with a height greater than fourteen (14) feet six (6) inches.

(b) The Indiana department of transportation may adopt rules under

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IC 4-22-2 to implement a permit system regulating the transportation of extra wide manufactured home rigs.

(c) Rules adopted by the Indiana department of transportation under this section must address the following:

(1) The competitive nature of Indiana's manufactured housing industry.

(2) The safety of persons who use the highways.

SECTION 7. IC 9-20-15-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 7. (a) This section applies to a person who purchases a quarterly or an annual permit under IC 9-29-6-9 to move a special tractor-mobile home rig.**

(b) A person described in subsection (a) shall use only the permissible routes for moving a special tractor-mobile home rig. The person must check the daily detour and restriction bulletin before choosing a route to travel. If the person moves a special tractor-mobile home rig on a route that is restricted or prohibited, the person's quarterly or annual permit may be revoked.

(c) If a person's quarterly or annual permit is revoked under subsection (b), the person may not obtain a new quarterly or annual permit for a period of ninety (90) days. The person may move a special tractor-mobile home rig under a single trip permit until the person is eligible to obtain a new quarterly or annual permit.

SECTION 8. IC 9-21-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 5.** In addition to the other limitations in this chapter, and in any oversize vehicle permit issued under IC 9-20, a vehicle that exceeds:

(1) a width of ten (10) feet, six (6) inches;

(2) a height of thirteen (13) feet, six (6) inches; or

(3) a length of eighty-five (85) feet;

may not be operated at a speed greater than ~~forty-five (45)~~ **fifty-five (55)** miles per hour.

SECTION 9. IC 9-29-6-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 7. (a) Except as provided in subsections (b) and (c), the fee for a person who is not a mobile home or sectionalized building retail dealer to move a tractor-mobile home rig under IC 9-20-14-2 is ten dollars (\$10) per trip.**

(b) Notwithstanding subsection (a), a person who is not a mobile home or sectionalized building retail dealer may purchase a quarterly permit for unlimited trips during the quarter to move a tractor-mobile home rig under IC 9-20-14-2. The fee for a



1 quarterly permit is two hundred fifty dollars (\$250).

2 (c) Notwithstanding subsection (a), a person who is not a mobile
3 home or sectionalized building retail dealer may purchase an
4 annual permit for unlimited trips during the year to move a
5 tractor-mobile home rig under IC 9-20-14-2. The fee for an annual
6 permit is one thousand dollars (\$1,000).

7 SECTION 10. IC 9-29-6-9 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) Except as
9 provided in subsections (b) and (c), the fee for a person to move a
10 special tractor-mobile home rig under IC 9-20-15-1 is eighteen dollars
11 (\$18) per trip.

12 (b) Notwithstanding subsection (a), a person may purchase a
13 quarterly permit for unlimited trips during the quarter to move a
14 special tractor-mobile home rig under IC 9-20-15-1. The fee for a
15 quarterly permit is five hundred dollars (\$500).

16 (c) Notwithstanding subsection (a), a person may purchase an
17 annual permit for unlimited trips during the year to move a special
18 tractor-mobile home rig under IC 9-20-15-1. The fee for an annual
19 permit is two thousand dollars (\$2,000).

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SENATE MOTION

Mr. President: I move that Senator Zakas be added as coauthor of Senate Bill 446.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Transportation and Homeland Security, to which was referred Senate Bill No. 446, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 21, delete "and special event days".

Page 2, line 26, reset in roman "noon on".

Page 2, line 26, delete "2".

Page 2, line 27, delete "p.m. on".

Page 3, delete lines 5 through 6.

Page 4, line 10, delete "and special event".

Page 4, line 11, delete "days".

Page 4, line 15, reset in roman "noon on".

Page 4, line 15, delete "2".

Page 4, line 16, delete "p.m. on".

Page 4, line 17, reset in roman "may".

Page 4, line 17, delete "shall".

Page 4, line 34, strike "forty-five (45)" and insert "**fifty-five (55)**".

Page 6, delete lines 12 through 15.

Page 6, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 8. IC 9-21-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. In addition to the other limitations in this chapter, and in any oversize vehicle permit issued under IC 9-20, a vehicle that exceeds:

- (1) a width of ten (10) feet, six (6) inches;
- (2) a height of thirteen (13) feet, six (6) inches; or
- (3) a length of eighty-five (85) feet;

may not be operated at a speed greater than ~~forty-five (45)~~ **fifty-five (55)** miles per hour."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 446 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 446, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 8, delete "feet," and insert "feet;"

Page 2, line 8, strike "six (6) inches;"

Page 2, line 21, reset in roman "Sunday and the".

Page 2, line 23, delete "between:" and insert "between".

Page 2, line 24, delete "(A)".

Page 2, run in lines 23 through 24.

Page 2, line 25, delete "Saturday;" and insert "**Saturday**".

Page 2, line 25, after "Saturday;" strike "and".

Page 2, line 26, delete "(B)".

Page 2, line 26, strike "one-half (1/2) hour before sunrise and noon on".

Page 2, line 26, delete "Saturday" and insert "~~Saturday~~".

Page 2, line 27, delete "Sunday".

Page 4, line 8, reset in roman "Sunday and the".

Page 4, line 10, delete "between:" and insert "between".

Page 4, line 11, delete "(A)".

Page 4, run in lines 10 through 11.

Page 4, line 12, delete "Saturday;" and insert "**Saturday**".

Page 4, line 12, after "Saturday;" strike "and".

Page 4, line 13, delete "(B)".

Page 4, line 13, strike "one-half (1/2) hour before sunrise and noon on".

Page 4, line 13, delete "Saturday" and insert "~~Saturday~~".

Page 4, line 14, delete "Sunday".

Page 4, line 16, reset in roman "a".

Page 4, line 16, delete "one (1)".

and when so amended that said bill do pass.

(Reference is to SB 446 as printed February 12, 2003.)

RESKE, Chair

Committee Vote: yeas 14, nays 0.

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